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## FACSIMILE TRANSMISSION

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Total # of Pages 14 (including this page)

TO:	PHONE #:	FAX #:
United States Patent and Trademark Office Mail Stop Amendment Examiner: T. Ton Art Unit: 1632		571-273-8300

From : Richard J. Warburg  
Email Address : rwarburg@foley.com  
Sender's Direct Dial : 858.847.6767  
Date : April 21, 2006  
Client/Matter No : 073442-0301  
User ID No : 1879

### MESSAGE:

Please find enclosed:

Transmittal (3 pages);

Amendment and Reply Under 37 CFR 1.116 (10 pages).

If there are any problems with this transmission or if you have not received all of the pages, please call 571-273-8300.

Operator:	Time Sent:	Return Original To: Vanessa E. Agha
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CONFIDENTIALITY NOTICE: THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR ANY AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

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APR 21 2006 Atty. Dkt. No. 073442-0301

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Chandler Fulton, et al.  
Title: THIAMINASES AND  
THIAMINASE GENES FOR USE  
IN APOPTOTIC THERAPIES  
Appl. No.: 09/675,509  
Filing Date: 9/29/2000  
Examiner: T. Ton  
Art Unit: 1632

<p><b>CERTIFICATE OF FACSIMILE TRANSMISSION</b> I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.</p> <p><u>Vanessa E. Agha</u> (Printed Name)</p> <p><u>Vanessa E. Agha</u> (Signature)</p> <p><u>April 21, 2006</u> (Date of Deposit)</p>
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**AMENDMENT TRANSMITTAL**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

☒ Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has been established by a previous assertion of Small Entity status.

☐ Assertion of Small Entity status is enclosed.

☒ The fee required for additional claims is calculated below:

	Claims		Previously Paid For		Extra			Additional
	As Amended				Claims Present	Rate		
Total Claims:	15	-	31	=	0	x \$50.00	=	\$0.00

Atty. Dkt. No. 073442-0301

Independent Claims:	6	-	8	=	0	x	\$200.00	=	\$0.00
First presentation of any Multiple Dependent Claims:						+	\$360.00	=	\$0.00
CLAIMS FEE TOTAL									= \$0.00

☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$120.00	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$450.00	\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$1,020.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,590.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$2,160.00	\$0.00
EXTENSION FEE TOTAL:		\$0.00
<input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$130.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		\$0.00
<input checked="" type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):		\$0.00
TOTAL FEE:		\$0.00

If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.


Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Atty. Dkt. No. 073442-0301

Respectfully submitted,

Date 4/21/06

FOLEY & LARDNER LLP  
Customer Number: 30542  
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By 

Richard J. Warburg  
Attorney for Applicant  
Registration No. 32,327

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**APR 21 2006** Atty. Dkt. No. 073442-0301

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

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**AMENDMENT AND REPLY UNDER 37 CFR 1.116**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Final Office Action dated January 25, 2006,  
concerning the above-referenced patent application.

**Amendments to the Claims** are reflected in the **Listing of Claims** which begins on page  
2 of this document.

**Remarks** begin on page 5 of this document.